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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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EXAMINER

TRAN, HENRY N

ART UNIT PAPER NUMBER

2629

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/607,928

Applicant(s)

COATES ET AL.

Examiner

Henry N. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

1. The Amendment received 5/2/06 has been considered in preparing this Office action. Applicants' amendments to the claims have been entered. Claims 1-25 remain pending in this application.

Response to Arguments

2. Applicants' arguments filed with the above-identified Amendment have been fully considered but they are not persuasive because they are directed to the newly added claimed limitations, which were not previously presented; and they are moot in view of the new grounds of rejection as follows.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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5. Claims 1, 2, 4, 5, 7-9, 11, 12, 14, 15, 17, 18, 20-22, 24 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Trell (U.S. Patent No. 6,909,382).

Re claim 1, Trell teaches a method for entering text using a keypad comprising a number of keys fewer than the number of items in the text to be entered, see Fig. 1, comprising: (a) detecting the actuation of the keys of the keypad; (b) determining if the detected actuation was created by the actuation of one key or the substantially simultaneous actuation of multiple keys; (c) if the detected key actuation was created by the actuation of one key chosen from a group of "1", "2", "3", "4", "5", "6", "7", "8", "9", "*", "0", and "#", entering the item associated with the one key that is respectively chosen from a group of "g", "b", "e", "i", "k", "n", "q", "u", "x", "s", all caps mode, and backspace function; and (d) if the detected key actuation was created by the substantially simultaneous actuation of multiple keys chosen from a group of "1" and "2", "2" and "3", "4" and "5", "5" and "6", "7" and "8", "8" and "9", "*" and "0", "0" and "#", "1" and "4", "2" and "5", "4" and "5", "3" and "6", "4" and "7", "5" and "8", "6" and "9", "7" and "*", "8" and "0", and "9" and "#", entering the item associated with the one key that is respectively chosen from a group of "a", "d", "j", "m", "t", "w", "z", numerical mode, "h", "c", "f", "p", "l", "o", "r", "v", and "y", (Trell's Fig. 2 shows the follows: (i) the actuation of one key chosen from the group of 1, 2, 3, etc; one letter is respectively entered from a group of a, d, g, etc; and (ii) the actuation created by the substantially simultaneously actuation of two keys chosen from the group of "1" and "4", "1" and "2", "2" and "5", "2" and "3", etc., one letter is respectively entered from a group of b, c, e, f, etc.)

Re claims 2, 4, 5, 7-9, 11 and 12, Trell further teaches that: the items of text are letters, see Fig. 1; the keypad comprises a row/column matrix of keys having $3 \times 4 = 12$ keys, see col. 6,

lines 29-34; the multiple keys are located side by side; wherein the multiple keys are two keys, see Figs. 1 and 2. Claims 2, 4, 5, 7-9, 11 and 12 are dependent upon the base claim 1, and are therefore rejected on the same reasons set forth in claim 1, and by the reasons noted above.

Re claims 14, 15, 17, 18, 20-22, 24 and 25, which are computer product containing computer-executable instructions for carrying out the methods of claims 1, 2, 4, 5, 7-9, 11 and 12, are also taught by Trell ("programming instructions", col. 4, lines 23+). Claims 14, 15, 17, 18, 20-22, 24 and 25 are therefore rejected on the same basis set forth in claims 14, 15, 17, 18, 20-22, 24 and 25, and by the teachings noted above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3, 6, 10, 13, 16, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trell (U.S. Patent No. 6,909,382) in view of Kandogan et al (U.S. Patent No. 6,765,556, hereinafter referred to as "Kandogan").

Trell teaches generally all, including the items of text are letters of other languages ("adapted to country of use", see col. 4, lines 46-49). However, Trell does not teach expressly that the letters are English language letters. Kandogan a device containing keypad formed of a plurality of keys (24) oriented in a row/column matrix comprising 3x4=12 keys arranged in a conventional layout for providing key input using a computer program, wherein, the items associated with the keys are English language letters, see Fig. 1; and col. 4, lines 19-23.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the English language letters as taught by Kandogan in the Trell device because this would provide an improved keypad system which uses a restricted number of keys capable of versatily, conveniently and effectively entering text, see Kandogan, col. 7, lines 1-4. Claims 3, 6, 10, 13, 16, 19 and 23 are therefore rejected.

Conclusion

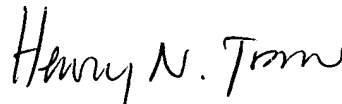
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They are U.S. Patents Nos.: 6,378,234 issued to Luo, and 4,694,280 issued to Rollhause et al, which teach keyboard entry systems.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry N. Tran whose telephone number is 571-272-7760. The examiner can normally be reached on M-F 8:00-4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BIPIN H. SHALWALA can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Henry N Tran
Primary Examiner
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HT 
6/30/06